

Notice of Allowability

Application No.

10/030,596

Examiner

Michael V. Battaglia

Applicant(s)

MILES ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03 January 2006.
2. ☒ The allowed claim(s) is/are 1 and 3-12 (now renumbered as 1,6-11 and 2-5 respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17 2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 3, 2006 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John A. Lingl on April 7, 2006.

The application has been amended as follows:

- a.) On line 13 of claim 1, "ens" has been changed to -lens--.
- b.) On line 15 of claim 1, "park position." has been changed to --park position; in which the optical pickup is moved to the park position away from the optical medium when not being used with such an optical medium.--
- c.) Claim 2 has been changed to --(Canceled)--.
- d.) On line 1 of claim 9, "(Previously withdrawn)" has been changed to --(Original)

The optical media system as claimed in Claim 1, in which the actuator is a voice coil

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actuator, the actuator controller being connected to the voice coil actuator and including circuitry that detects a voltage or a current generated by externally induced movement of the voice coil when the optical pickup is not being used with the optical medium in order to generate a compensating voltage or current in order to control the lens position.--

e.) On line 1 of claim 10, "(Previously withdrawn)" has been changed to --(Original)

The optical media system as claimed in Claim 1, in which the optical pickup has at least one end stop that defines a limit to the focus and/or tracking movement of the lens, and the actuator controller biases the lens towards an end stop when the optical pickup is not being used with the optical medium so that the lens position is held at the end stop.--

f.) On line 1 of claim 11, "(Previously withdrawn)" has been changed to --(Original)

The optical media system as claimed in Claim 1, in which the optical pickup has a pair of end stops that define a limit to the focus and/or tracking movement of the lens, and the actuator controller controls the lens position to a median position between the end stops.—

Allowable Subject Matter

3. Claims 1 and 3-12 are allowable over the prior art of record. Claims 3-8 are allowable for the reasons specified in previous Office actions.

Claim 1 is allowable because none of the references of record alone or in combination suggest or fairly teach an optical media system comprising: an optical pickup for reading from and/or writing to an optical storage medium, the optical pickup having wall portions defining a cavity having an opening, one or more sources of light, and an objective lens disposed within the

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cavity, the optical pickup being movable between a park position when not in operation and an operating position when in operation; a focus and/or tracking actuator for moving the lens to focus and/or track the light on the optical medium and mechanical limits to limit the focus and/or tracking movement of the lens; and an actuator controller for controlling the actuator and hence the focus and/or tracking position of the lens, the actuator controller configured to induce a magnetic field interacting with the optical pickup to actively control the lens position within the cavity via the magnetic field when the optical pickup is in the park position; **in which the optical pickup is moved to the park position away from the optical medium when not being used with such an optical medium.**

Claims 9-11 are rejoined due to their dependency on allowable generic claim 1.

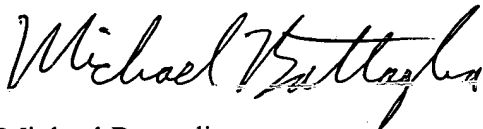
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V. Battaglia whose telephone number is (571) 272-7568. The examiner can normally be reached on M-F, 8:30-5:00.

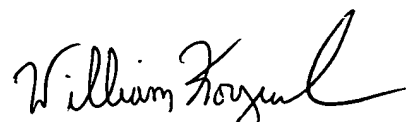
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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